

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF NORTH CAROLINA
CHARLOTTE DIVISION

3:11CR20-FDW

UNITED STATES OF AMERICA)	
)	
v.)	CONSENT ORDER AND
)	JUDGMENT OF FORFEITURE
LUIS VASCONCELO.)	

BASED UPON the plea of guilt, and finding that there is a substantial nexus between the property listed below and the offense/s of which the defendant has pled guilty and that the defendant has or had a legal interest in the property, IT IS HEREBY ORDERED THAT:

1. The following property is forfeited to the United States pursuant to 18 U.S.C. § 981 and 982, 21 U.S.C. § 853, and/or 28 U.S.C. § 2461(c):

Any and all interest of Luis Vasconcelo in ELD Corporation;

Approximately \$52,944.91 in funds seized from Suntrust Account
XXXXXXXXXX7434 during the course of the investigation;

Approximately \$10,972.87 in funds seized from Suntrust Account
XXXXXXXXXX7434 during the course of the investigation;

Approximately \$18,609.32 in funds seized from Bank of America Account
XXXXXXX2519 during the course of the investigation;

Approximately \$18,900.00 in genuine United States currency seized from Luis
Vasconcelo during the course of the investigation;

Approximately \$10,000.00 in counterfeit currency seized during the course of the
investigation;

One 2010 Ford Super Duty truck, bearing VIN 1FDAW5HR1AEA69332,
registered to Luis Vasconcelo, seized during the course of the investigation;

Any and all access device cards seized during the course of this investigation; and

Any and all computer and electronic devices seized, including but not limited to
an AT&T iPhone, an Apple iPod, a SanDisk cruze portable storage device, a
Sony Vaio laptop computer, an eMachines desktop computer, and a magnetic
stripe reader/writer machine.

2. The United States Marshal, United States Secret Service, and/or other property custodian for the investigative agency is authorized to take possession and maintain custody of the above specifically identified property;


3. The United States shall, to the extent practicable, provide direct written notice to any persons known to have alleged an interest in the specifically identified property, and shall publish notice of this forfeiture as required by law;

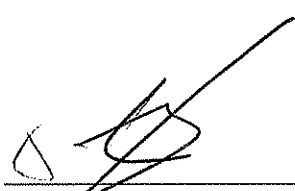
4. Any person, other than the defendant, asserting any legal interest in the specifically identified property may, within thirty days of the publication of notice or the receipt of notice, whichever is earlier, petition the court for a hearing to adjudicate the validity of the alleged interest;

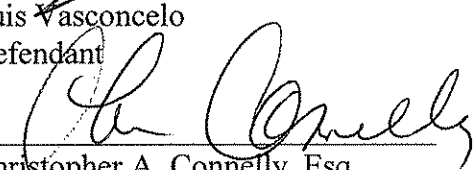
5. Following the Court's disposition of all timely petitions filed, a final order of forfeiture shall be entered. If no third party files a timely petition, this order shall become the final order and judgment of forfeiture, as provided by Fed. R. Crim. P. 32.2(c)(2), and the United States shall have clear title to the property, and shall dispose of the property according to law;

The parties stipulate and agree that the aforementioned assets constitute property derived from or traceable to proceeds of defendant's crime(s) herein, property made, possessed, used, or intended to be used to commit such violations, counterfeits, and/or substitute property as defined in 21 U.S.C. § 853, and are therefore subject to forfeiture pursuant to 18 U.S.C. §§ 981 and 982, 21 U.S.C. § 853 and/or 28 U.S.C. § 2461(c). The defendant hereby waives the requirements of Fed. R. Crim. P. 32.2 and 43(a) regarding notice of the forfeiture in the charging instrument, announcement of the forfeiture at sentencing, and incorporation of the forfeiture in the judgment against defendant. If the defendant has previously submitted a claim in response to an administrative forfeiture proceeding regarding any of this property, defendant hereby withdraws that claim. If defendant has not previously submitted such a claim, defendant hereby waives all right to do so.

ANNE M. TOMPKINS
UNITED STATES ATTORNEY


Benjamin Bain-Creed
Assistant United States Attorney


Luis Vasconcelo
Defendant


Christopher A. Connelly, Esq.
Attorney for Defendant

Signed this the 7th day of February, 2011.


DAVID C. REESLER
UNITED STATES MAGISTRATE JUDGE